

EXHIBIT J

Andrew Campanelli

From: Agans, Autumn <AgansA@fca.gov>
Sent: Wednesday, January 23, 2019 8:05 AM
To: Andrew Campanelli
Subject: RE: FOIA #13588

Mr. Campanelli,

While the FCA regulates Farm Credit East, as an institution of the Farm Credit System, FCA does not act as an attorney for Farm Credit East. Thus, FCA holds no formal position as to whether Farm Credit East is subject to the requirements of the FOIA. From a theoretical perspective, it is my understanding that institutions of the Farm Credit System are not federal agencies and thus would not fall under the requirements of the Federal FOIA. When we respond to FOIA requests and think that another organization may be helpful in getting you the documents you request, we generally refer you to that organization, whether we think that organization is required to comply with document requests under the FOIA or not. I can appreciate that the nature of your request is serious, and I hope you are able to secure the documents for which you are searching. If you have further questions about how the Farm Credit System works or I can answer questions about the Farm Credit Administration, I would be happy to do so.

Sincerely,

Autumn R. Agans

Senior Attorney
Deputy Ethics Official
FOIA Officer, Privacy Act Officer
Office of General Counsel
Farm Credit Administration
1501 Farm Credit Drive, McLean, Virginia 22102
P 703.883.4082 • M 703.966.6071 • agansa@fca.gov

From: Andrew Campanelli <ajc@campanellipc.com>
Sent: Saturday, January 19, 2019 9:22 AM
To: Agans, Autumn <AgansA@fca.gov>
Subject: RE: FOIA #13588

Dear Ms. Agans:

Thank you for your prompt response to our FOIA request.

Please accept this e-mail as our reply to your response, and as a request for one specific item of additional information.

In advising us that the FCA is not in possession of any of the information we have requested, you have additionally suggested that we seek to obtain the desired information directly from Farm Credit East. (see the second full paragraph within your e-mail).

Please be advised that we have already served a FOIA request upon Farm Credit East, and that Farm Credit East has advised us that, it is their position, that they are not subject to the Freedom of Information Act requests because, they

posit, they are not an "agency" subject to the Act. See a true copy of a letter we received from Farm Credit East in response to a FOIA request my office served upon same annexed hereto.

Farm Credit East asserts this position despite the fact that Farm Credit East is clearly an entity within the Farm Credit System, disburses funds under the Federal Farm Loan Act, and is subject to the authority of, and within the jurisdiction of, the FCA. We believe that Farm Credit East's position is entirely without legal basis. See *e.g. Rocap v. Indiek*, 539 F.2d 174 (1976).

We have reason to believe that Farm Credit East may have engaged in conduct which violated the Equal Credit Opportunity Act (ECOA). We intend to secure the information reasonably necessary to substantiate such belief. If necessary, we are prepared to commence an initial action to obtain a federal court determination that Farm Credit East is subject to FOIA, as a matter of law.

Please advise as to whether or not the FCA similarly maintains the position that Farm Credit East is not subject to FOIA. This will be relevant in determining the proper defendants in our initial federal action, which we anticipate filing in a U.S. District Court in the Eastern District of New York.

Thank you in advance for your anticipated cooperation.

Very truly yours,
Andrew J. Campanelli
Campanelli & Associates, P.C.
1757 Merrick Avenue, Suite 204
Merrick, NY 11566
CampanelliPC.com
ajc@campanelliPC.com
(516) 746-1600

From: Agans, Autumn <AgansA@fca.gov>
Sent: Friday, January 18, 2019 9:26 AM
To: ajc@campanellipc.com
Cc: Agans, Autumn <AgansA@fca.gov>
Subject: FOIA #13588

Dear Mr. Campanelli,

This letter is in response to your Freedom of Information Act, 5 U.S.C. § 552 (FOIA), request to the Farm Credit Administration (FCA or Agency). You requested true and complete copies of all records of the FCS Institution "Farm Credit East" 240 S. Road Enfield, CT 06082 pertaining to the loans, loan applicants and properties described immediately herein below: Loan Applicant Subject Property The Hidden Vineyard 2822 River Road and/or Peter D. DiBernardi Calverton, NY 11933 Benedetti Land Inc. 2822 River Road and/or Ralph Ciuffetelli Calverton, NY 11933 Mr. Eric Kirk Town of Southampton, NY Diesel Equine Enterprises 308 Primrose Path Manorville, NY 11949 Mr. Kenneth Ballato 114 Old Riverhead Road Westhampton Beach, NY 11978 The Winery at St. George 1715 E. Main Street and/or the DeChiaro Family Mohegan Lake, NY 10547.

After conducting a thorough search of Agency records, we have determined that FCA has no records responsive to your request. However, you may be able to obtain the requested records from Farm Credit East. For your information, FCA regulates the banks and associations of the Farm Credit System and does not have copies of all the records the institutions control or possess.

There are no fees associated with your request.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of FOIA. See 5 U.C.S. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

I trust this information fully satisfies your request. If you need further assistance or would like to discuss any aspect of your request, please do not hesitate to contact me at 703.883.4082 or agansa@fca.gov. FCA's FOIA Public Liaison is also available for assistance at FOIAPublicLiaison@fca.gov.

If you choose to appeal this response to your request, the appeal should be in writing and addressed to the Director, Office of Agency Services, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 or email FOIAAppeal@fca.gov. Both the letter and envelope should be clearly marked "FOIA Appeal." Appeals must be postmarked or electronically transmitted within 90 days of the date of the response to your request.

You may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration (NARA) to inquire about the FOIA mediation services they offer. The contact for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road – OGIS, College Park, Maryland, 20740-6001; email at ogis@nara.gov; telephone at (202) 741-5770; toll free at 1-877-684-6448; or facsimile at (202) 741-5769.

Autumn R. Agans

Senior Attorney

Deputy Ethics Official

FOIA Officer, Privacy Act Officer

Office of General Counsel

Farm Credit Administration

1501 Farm Credit Drive, McLean, Virginia 22102

P 703.883.4082 • M 703.966.6071 • agansa@fca.gov

Hello,

A new FOIA request was submitted to your agency component:

The following list contains the entire submission, and is formatted for ease of viewing and printing.

Contact information

| | |
|-----------------------------|--|
| First name | Andrew |
| Last name | Campanelli |
| Mailing Address | 1757 Merrick Ave Suite 204 |
| City | Merrick |
| State/Province | NEW YORK |
| Postal Code | 11566 |
| Country | United States |
| Phone | 5167461600 |
| Fax | 5167462611 |
| Company/Organization | Campanelli & Associates, P.C. |
| Email | ajc@campanellipc.com |

Request

Request ID 41526

Confirmation ID 41001

Request description

Please provide true and complete copies of all records of the FCS Institution "Farm Credit East" 240 S. Road Enfield, CT 06082 pertaining to the loans, loan applicants and properties described immediately herein below: Loan Applicant Subject Property The Hidden Vineyard 2822 River Road and/or Peter D. DiBernardi Calverton, NY 11933 Benedetti Land Inc. 2822 River Road and/or Ralph Ciuffetelli Calverton, NY 11933 Mr. Eric Kirk Town of Southampton, NY Diesel Equine Enterprises 308 Primrose Path Manorville, NY 11949 Mr. Kenneth Ballato 114 Old Riverhead Road Westhampton Beach, NY 11978 The Winery at St. George 1715 E. Main Street and/or the DeChiaro Family Mohegan Lake, NY 10547

Supporting documentation

Fees

| | |
|---------------------|-------|
| Request category ID | other |
| Fee waiver | no |
| Willing to pay | \$100 |

Expedited processing

| | |
|----------------------|----|
| Expedited Processing | no |
|----------------------|----|

The following table contains the entire submission, and is formatted for ease of copy/pasting into a spreadsheet.

| request_id | confirmation_id | address_city | address_country | address_line1 | address_line2 | address_state_province | address_zi |
|------------|-----------------|--------------|-----------------|---------------|---------------|------------------------|------------|
|------------|-----------------|--------------|-----------------|---------------|---------------|------------------------|------------|

| | | | | | | | |
|-------|-------|---------|---------------|------------------|-----------|----------|-------|
| 41526 | 41001 | Merrick | United States | 1757 Merrick Ave | Suite 204 | NEW YORK | 11566 |
|-------|-------|---------|---------------|------------------|-----------|----------|-------|

